

Subchapter B—Rules of Practice

PARTS 1100–1129—RULES OF GENERAL APPLICABILITY

PART 1100—GENERAL PROVISIONS

Sec.

1100.1 Scope of rules.

1100.2 Applicability.

1100.3 Liberal construction.

1100.4 Information and inquiries.

AUTHORITY: 49 U.S.C. 721.

SOURCE: 47 FR 49548, Nov. 1, 1982, unless otherwise noted.

§ 1100.1 Scope of rules.

These rules govern practice and procedure before the Surface Transportation Board under title 49, subtitle IV of the United States Code (49 U.S.C. 10101 *et seq.*). This subchapter will be referred to as the “Rules of Practice”.

§ 1100.2 Applicability.

The rules in parts 1100–1129, Rules of General Applicability, establish general rules applicable to all types of proceedings. Other rules in this subchapter establish special rules applicable to particular types of proceedings. When there is a conflict or inconsistency between a rule of general applicability and a special rule, the special rule will govern.

[47 FR 49548, Nov. 1, 1982, as amended at 50 FR 30275, July 25, 1985]

§ 1100.3 Liberal construction.

The rules will be construed liberally to secure just, speedy and inexpensive determination of the issues presented.

§ 1100.4 Information and inquiries.

Persons with questions concerning these rules should either send a written inquiry addressed to the Secretary, Surface Transportation Board, Washington, DC 20423, or should telephone the Secretary’s Office, (202) 275–7428.

PART 1101—DEFINITIONS AND CONSTRUCTION

Sec.

1101.1 Statutory definitions.

1101.2 Definitions applicable to this subchapter.

1101.3 Construction.

AUTHORITY: 49 U.S.C. 721.

SOURCE: 47 FR 49548, Nov. 1, 1982, unless otherwise noted.

§ 1101.1 Statutory definitions.

The definitions contained in section 10102 of the Act (49 U.S.C. 10102) apply in this chapter.

§ 1101.2 Definitions applicable to this subchapter.

(a) *Act* or *Interstate Commerce Act* means subtitle IV of title 49 of the United States Code (49 U.S.C. 10101 *et seq.*).

(b) *Board* means (1) the Surface Transportation Board and (2) any body or individual to which or to whom decision making authority is assigned by the Board or the Chairman of the Board, including a division of the Board, the Chairman, another Board Member, employee board, an individual employee, an administrative law judge, a joint board, or other hearing officer entitled to act in a particular proceeding. See 49 CFR part 1011, Board Organization; Delegations of Authority.

(c) *Decision* means any formal, published action of the Board, including orders and notices.

(d) *Party* means a complainant, defendant, applicant, respondent, protestant, intervener, or petitioner in any proceeding, or other persons permitted or directed by the Board to participate in a proceeding. It will not include persons merely signing certificates of support or witnesses at oral hearing or in modified procedure proceedings, unless they are otherwise a party to the proceeding. Persons on the docket service list merely for the purpose of receiving copies of Board releases are not considered parties to the proceeding.

(e) *Proceeding* includes:

(1) An *informal complaint* filed under §§ 1130.1, or 1130.3 or a *formal complaint* alleging violation of any provision of the Act or of any regulation or requirement made pursuant to a power granted by such Act, including petitions on special dockets;